IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HON'BLE THE CHIEF JUSTICE MR.H.L.DATTU
&
THE HONOURABLE MR. JUSTICE K.T.SANKARAN

THURSDAY, THE 16TH AUGUST 2007 / 25TH SRAVANA 1929

WA.No. 1911 of 2007(B)

AGAINST THE JUDGEMENT IN WPC.11653/2007 Dated 14/06/2007

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APPELLANT: RESPONDENT NO.3

D GOPINATHAN, AGED 34 YEARS,
S/O. SRI DAMODARAN PANICKER, SAKTHI TRADERS,
ERUVA P.O., KAYAMKULAM.

BY ADV. SRI.M.C.SEN (SR.)

RESPONDENTS: RESPONDENTS 1 & 2 AND PETITIONER

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1. STATE OF KERALA REPRESENTED BY
SECRETARY TO GOVERNMENT, GENERAL EDUCATION
DEPARTMENT , SECRETARIAT.

2. DIRECTOR OF PUBLIC INSTRUCTION,
TRIVANDRUM.

3. P.M.HASSANKUTTY, PARAPILLIL HOUSE,
KUMMANAM P.O., KOTTAYAM.

BY ADV. SRI.P.SANTHOSH KUMAR (PANAMPALLI NAGAR)
SRI.LUIZ GODWIN D'COUTH
SR.GOVERNMENT PLEADER SMT. MEERA.

THIS WRIT APPEAL HAVING COME UP FOR ADMISSION ON 16/08/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

H.L.DATTU, C.J. & K.T.SANKARAN, J.

W.A.No.1911 of 2007

Dated this the 16th day of August, 2007.

J U D G M E N T

H.L.Dattu, C.J.

This appeal arises out of the order of the learned Single Judge in W.P.(C).No.11653 of 2007 dated 14th June, 2007. By the impugned order, the learned Judge had directed the second respondent, namely the Director of Public Instruction, Trivandrum, to award the contract in favour of the petitioner in the writ petition by accepting the rate quoted by the petitioner at Rs.17.69 per kg, for the sale of old S.S.L.C valued answer sheets.

(2). After the disposal of the writ petition, the second respondent has awarded the contract in favour of the petitioner by his orders dated 16-7-2007 and 25-7-2007.

(3). In fact, the appellant herein has also taken back the security deposit made by him, on 16-7-2007 itself. In view of this development, in our opinion, we need not interfere with the orders and directions issued by the learned Single Judge while disposing of the writ petition. The appeal requires to be rejected and it is rejected.

Ordered accordingly.

(H.L.DATTU)
CHIEF JUSTICE

(K.T.SANKARAN)
JUDGE

MS